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Attn.: Examiner William Bangachon

TC/A.U.: 2837

Re: Application No. 09/801,201 - Confirmation No. 4024

For: RATE-OF-CHANGE SWITCHES AND
CONTROLLABLE APPARATUS

Filed: March 7, 2001

Applicants: John L. Lautzenhiser et al.

Docket No: 212-02US

Enclosed: TRANSMITTAL FORM, PTO/SB/21, 1 page, 1 copy;
RESUBMISSION OF PRELIMINARY AMENDMENT UNDER 37 CFR 1.115, 2 pages, 1 copy;
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\$573.00 to Deposit Account No. 13-3404, 1 page, 2 copies;
E - PATENT APPLICATION FEE DETERMINATION RECORD, PTO/SB/06, 1 page, 1 copy; and
F - PRELIMINARY AMENDMENT UNDER 37 CFR 1.115, Dated 02/27/2004, 23 pages, 1 copy.

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/801,201 Conf. No.: 4024	
	Filing Date	March 7, 2001	
	First Named Inventor	John L. Lautzenhiser et al.	
	Art Unit	2837	
	Examiner Name	William Bangachon	
Total Number of Pages in This Submission	32	Attorney Docket Number	212-02US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -- Resubmission of Preliminary Amendment Under 37 CFR 1.115, of Feb. 27, 2004, 2 pages, 1 copy; and -- Exhibits A - F.
Exhibits enclosed herewith: A-FACSIMILE COVER SHEET with Certificate of Transmission, 02/27/2004, 1 page, 1 copy; B-FAX "SEND CONFIRMATION REPORT for WENDELL E MILLER PATENT AGENT 574 268 2729 Feb-27-04 15:33", 28 pages (cover plus 27 pages transmitted), 1 page, 1 copy; C-TRANSMITTAL FORM, PTO/SB/21, Dated 02/27/2004, 1 page, 1 copy; D-FEE TRANSMITTAL for FY 2003, PTO/SB/17, Dated 02/27/2004, with authorization to charge \$673, to Deposit Account No. 13-3404, 1 page, 2 copies; E-PATENT APPLICATION FEE DETERMINATION RECORD, PTO/SB/06, 1 page, 1 copy; & F-PRELIMINARY AMENDMENT UNDER 37 CFR 1.115, Dated 02/27/2004, 23 pages, 1 copy.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Wendell E. Miller, Patent Agent	
Signature	<i>Wendell E Miller</i>	
Date	November 1, 2004	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. MS Amendment FAX No. (703) 872-9308		
Typed or printed name	Wendell E. Miller	
Signature	<i>Wendell E Miller</i>	Date November 1, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO in process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/801,201 Confirmation No. 4024
Applicants: John L. Lautzenhiser et al.
Filed: March 7, 2001
TC/A.U.: 2837
Examiner: William Bangachon
Docket No.: 212-02US

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MS Amendment
Commissioner for Patents
P.O. Box 1450
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RESUBMISSION OF PRELIMINARY AMENDMENT UNDER 37 CFR 1.115

Sir:

On February 27, 2004, Applicants submitted a preliminary amendment, under 37 CFR 1.115. This amendment was transmitted to the USPTO by facsimile to (703) 872-9306 with a Certificate of Facsimile Transmission that
5 was signed by Wendell E. Miller on February 27, 2004.

The subject patent application was not associated with Applicants' cases on PAIR until about six months after Applicants submitted the subject amendment. Therefore, Applicants only recently discovered that the preliminary amendment of February 27, 2004 had not been posted by the
10 USPTO.

CERTIFICATE OF TRANSMISSION under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, FAX No. (703) 872-9306 on November 1, 2004.

Name of person signing this certificate: Wendell E. Miller

Date signed: November 1, 2004

Signature: 

Total pages: 2
FAXED 11/1/04

Appl. No.: 09/801,201
Preliminary Amdt. dated Feb. 27, 2004
(Resubmission of Nov. 1, 2004)

Therefore, Applicants herewith resubmit the preliminary amendment of February 27, 2004 by facsimile to (703) 872-9306, together with copies of all papers that were submitted on February 27, 2004, with each set of papers identified as a separate Exhibit.

Applicants respectfully request that the preliminary amendment resubmitted herewith be accorded the original date of submission, namely February 27, 2004, in accordance with the aforesaid Certificate of Facsimile Transmission.

Respectfully submitted,



Wendell E. Miller
Agent for Applicants
Registration No. 26,572

Enclosed:

EXHIBITS transmitted herewith:

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November 1, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/801,201 Confirmation No.: 4024
Invention Name: RATE-OF-CHANGE SWITCHES
AND CONTROLLABLE APPARATUS
Applicants: John L. Lautzenhiser and
Lloyd L. Lautzenhiser
Filed: March 7, 2001
TC/A.U.: 2837
Examiner: William Bangachon
Docket No.: 212-02US

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PRELIMINARY AMENDMENT UNDER 37 CFR 1.115

Sir:

Applicants herein submit a preliminary amendment under 37 CFR 1.115, and respectfully request admission in view of explanations and arguments that start on page 22.

5 Please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 6 of this paper.

Amendments to the Abstract of the Disclosure begin on page 20 of this paper.

10 **Remarks/Arguments** begin on page 21 of this paper.

CERTIFICATE OF TRANSMISSION under 37 CFR 1.8

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Name of person signing this certificate: Wendell E. Miller

Date signed: February 27, 2004

Signature:

Wendell E. Miller

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EXHIBIT F